

2811  
JW



PATENT  
ATTORNEY DOCKET NO.: 040894-5755

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Confirmation No. 4701  
Goro NAKATANI, et al. ) Group Art Unit: 2811  
Application No. 10/043,276 ) Examiner: Junghwa M. Im  
Filed: January 14, 2002 ) **Mail Stop Amendment**  
For: SEMICONDUCTOR DEVICE AND )  
METHOD FOR MANUFACTURING )  
THE SAME )

**Mail Stop Amendment**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Non-Final Office Action dated May 18, 2004.
2. Additional papers enclosed:

- Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent  
 Drawings:  Formal  Informal (Correction)  
 Information Disclosure Statement under 37 C.F.R. § 1.97(c).  
 Form PTO-1449, with \_\_\_ references included

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

Extension of time fee due with this request: \$ 430.00.

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	11	minus	20	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$86 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$290.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- No fee is to be paid at this time.
- The Commissioner is hereby authorized to charge a fee of \$430.00 for the two-month extension of time to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:

for



Robert J. Goodell  
 Baldine Brunel Paul  
 Registration No. 54,369

Dated: October 18, 2004

Customer No. 09629

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**AMENDMENT**

In response to the Non-Final Office Action dated May 18, 2004, the period for response to which having been extended through October 18, 2004, by the request for a two-month extension of time and fee filed concurrently herewith, please amend the above-identified application as follows.

10/19/2004 RFEKADU1 00000131 500310 10043276  
01 FC:1252 430.00 DA